

# **EXHIBIT A**

Linda Cammaroto  
116 Yvonne Ct.  
Dingmans Ferry, PA 18328

Plaintiff

v.

CACH, LLC  
355 S Main Street, Suite 300-B  
Greenville, SC 29601

Defendant

IN THE PIKE COUNTY  
COURT OF COMMON PLEAS

Civil Action

No. **996-2023**

Jury Trial Demanded

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**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by plaintiff(s). You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

PIKE COUNTY COURTHOUSE  
412 BROAD STREET  
MILFORD, PA 18337  
(570) 296-7231

PIKE COUNTY LEGAL AID SERVICES  
810 MONROE STREET  
STROUDSBURG, PA 18360  
(570) 424-5338

PA LAWYER REFERRAL SERVICE  
P.O. BOX 1086  
100 SOUTH STREET  
HARRISBURG, PA 17108  
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Linda Cammaroto,  
Plaintiff

v.

CACH, LLC,  
Defendant

IN THE PIKE COUNTY  
COURT OF COMMON PLEAS

Docket No. 996-2023

## COMPLAINT

### I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter “the Act”) and the corresponding regulations, 12 C.F.R. § 1026, *et seq.* (hereinafter “the Regulations”) Defendant violated the Act and the Regulations when it filed a lawsuit against Plaintiff seeking to collect an alleged debt when the statute of limitations had already passed for the commencement of that lawsuit.

### II. JURISDICTION AND VENUE

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this Court is proper in that Plaintiff resides here, the conduct complained of occurred here, and Defendant transacts business here.

### III. PARTIES

4. Plaintiff is a natural person residing at 116 Yvonne Ct., Dingmans Ferry, PA, 18328.

5. Plaintiff is, and at all relevant times was, a “consumer” as defined by 15 U.S.C. § 1692a(3).

6. CACH, LLC is an entity with an address of 355 S Main Street, Suite 300-B, Greenville, SC 29601.

7. The principal purpose of Defendant's business is the collection of debts.

8. Defendant has reason to believe that a non-trivial portion of the accounts that it collects are for obligations for which the money, property, insurance or services which were the subjects of the transactions were primarily for personal, family, or household purposes.

9. Defendant has reason to believe that it is probably true that the principal purpose of its business is the collection of "debt" as that term is defined by 15 U.S.C. § 1692a(5).

10. Defendant regularly attempts to collect debts asserted to be due to another. The term "debt" is used in this allegation as that term is defined by 15 U.S.C. § 1692a(5).

11. Defendant is a "debt collector" as defined by 15 U.S.C. § 1692a(6).

#### IV. STATEMENT OF CLAIM

12. The foregoing paragraphs are incorporated herein by reference.

13. Congress enacted the Act to prevent real harm. Congress found that "abusive debt... collection practices [we]re carried on to a substantial extent in interstate commerce and through means and instrumentalities of such commerce." 15 U.S.C. § 1692(d).

14. Within the past year, Defendant was attempting to collect an alleged debt from Plaintiff ("the Account").

15. The Account is a "debt," as that term is defined in 15 U.S.C. § 1692a(5).

16. In order to collect the Account, Defendant, through counsel, filed a lawsuit against Plaintiff in Magisterial District Court at Docket No. MJ-60304-CV-0000086-2023 ("the Collection Act") on or about April 3, 2023.

17. During the pendency of the Collection Action, Defendant asserted that the last payment made on the Account was July 15, 2019. Plaintiff disputes that payments were made through this date, but agrees that there would not have been any payments made *after* this date.

18. It is believed, and therefore averred, that the terms and conditions which governed the Account selected Delaware law as the controlling law.

19. Under Delaware law, the statute of limitations for the collection of a debt such the Account is three years. 10 Del. Code Ann. § 8106

20. Generally, under Pennsylvania law, the statute of limitations for the collection of a debt such as the Account is four years. 42 Pa. Cons. Stat. Ann. § 5525(a)(8)

21. However, Pennsylvania law also contains the Uniform Statute of Limitations on Foreign Claims Act, which provides that the statute of limitations “applicable to a claim accruing outside this Commonwealth shall be either that provided or prescribed by the law of the place where the claim accrued or by the law of this Commonwealth, *whichever first bars the claim.*” 42 Pa. Cons. Stat. Ann. § 5521(b)(emphasis added).

22. Thus, because Delaware law contains the shorter statute of limitations, Defendant would have had to commence an action against Plaintiff to collect the Account within three years.

23. Here, the Collection Action was time-barred.

24. In fact, when Defendant’s counsel was informed of the statute of limitations issue moments before the hearing for the Collection Act, he immediately withdrew the Collection Action.

25. Pursuant to the Regulations, “[a] debt collector must not bring or threaten to bring a legal action against a consumer to collect a time-barred debt.” 12 C.F.R. § 1006.26.

26. And, by filing a lawsuit to collect a time-barred debt, Defendant improperly made a false representation of the character, amount, or legal status of a debt. 15 U.S.C. § 1692e(2).

27. Additionally, the filing of a lawsuit to collect a time-barred debt is an unfair or unconscionable means of collecting a debt, in violation of 15 U.S.C. § 1692f.

28. Plaintiff has incurred actual damages of at least \$1,250.00 related to the acquisition of an attorney to represent her in the Collection Action.

29. The Act permits an award of actual damages, statutory damages of up to \$1,000.00, costs, and reasonable attorney's fees. 15 U.S.C. § 1692k.

WHEREFORE, Plaintiff demands judgment against Defendant for actual damages amounting to at least \$1,250.00, statutory damages of no more than \$1,000.00, costs, attorney's fees, and such other and further relief as deemed just and proper.

V. DEMAND FOR JURY TRIAL

30. Plaintiff demands a trial by jury as to all issues so triable.

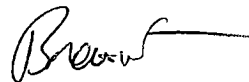


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Brett Freeman  
Bar Number: PA 308834  
Freeman Law  
606 Hamlin Highway, Suite 2  
Lake Ariel, PA 18436  
Attorney for Plaintiff  
Phone (570) 589-0010

**CERTIFICATION OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.



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**Denise Fitzpatrick  
Prothonotary & Clerk**



**Verification of Complaint and Certification by Plaintiff**

Plaintiff, Linda Cammaroto, being duly sworn according to law, deposes as follows:

1. I am a plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass the Defendant, cause unnecessary delay to the Defendant, or create a needless increase in the cost of litigation to the Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10 / 04 / 2023



Linda Cammaroto, Plaintiff

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## Audit trail

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IP: 68.70.25.163



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